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|             |   |                 |                         |
|-------------|---|-----------------|-------------------------|
| Applicant:  | Jerome Johnson; Dale A. Mehr; David R. Lundberg | Customer No.:   | 28863                   |
| Serial No.: | 08/879,070                                      | Examiner:       | Alexander G. Kalinowski |
| Filed:      | June 19, 1997                                   | Group Art Unit: | 3626                    |
|             |   | Docket No.:     | 1070-003US01            |

Title: INVENTORY SALES SYSTEM AND METHOD

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on January 2, 2004.

By: Angela Watson  
Name: Angela Watson

POWER OF ATTORNEY BY ASSIGNEE  
AND REVOCATION OF PREVIOUS POWERS

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Firepond, Inc. ("Assignee"), having a place of business at 8009 34th Avenue South, Suite 1000, Minneapolis, MN 55425, states that it is the Assignee of the entire right, title, and interest in the application/patent identified above and represents that the undersigned is a representative authorized and empowered to sign on behalf of the Assignee.

Assignee has reviewed the assignment document that evidences the placement of title in the Assignee, a copy of which is attached.

Pursuant to 37 C.F.R. §§ 1.36 and 3.71, the Assignee hereby revokes any existing Powers of Attorney, if any, and appoints the following attorneys and/or patent agents to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection with the above-identified application:

Steven J. Shumaker Reg. No. 36,273 Daniel J. Hanson Reg. No. 46,757

|                    |                 |                     |                 |
|--------------------|-----------------|---------------------|-----------------|
| Kent J. Sieffert   | Reg. No. 41,312 | Kelly P. Fitzgerald | Reg. No. 46,326 |
| Jason D. Kelly     | Reg. No. 54,213 | Kari H. Bartingale  | Reg. No. 35,183 |
| Richard J. Gregson | Reg. No. 41,804 |                     |                 |

Pursuant to §3.71, the Assignee hereby states that prosecution of the above-referenced patent application is to be conducted to the exclusion of the inventor(s).

Please direct all future correspondence in this application to:

Richard J. Gregson  
Shumaker & Sieffert, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
(651) 735-1100

Assignee of Interest: Fivepond, Inc.

Date: 11/24/03

By: David M. Pridham  
Name: David M. Pridham, Esq.  
Title: General Counsel

Address of Assignee of Interest:  
3009 34th Avenue South  
Suite 1000  
Minneapolis, MN 55425



**MINNESOTA SECRETARY OF STATE  
AMENDMENT OF ARTICLES OF INCORPORATION**

1449

**READ INSTRUCTIONS LISTED BELOW, BEFORE COMPLETING THIS FORM.**

1. Only complete the "Amendment of Articles of Incorporation" form if you are making changes to items 2-4 of the "Annual Registration" form (reverse side).
2. Type or print in black ink.
3. There is a \$35.00 fee payable to the Secretary of State for filing this "Amendment of Articles of Incorporation".
4. Return Completed Amendment Form and Fee to the address listed on the bottom of the form.

**CORPORATE NAME:** (List the name of the company prior to any desired name change)

Clear With Computers, Inc.

This amendment is effective on the day it is filed with the Secretary of State, unless you indicate another date, no later than 30 days after filing with the Secretary of State.

The following amendment(s) of articles regulating the above corporation were adopted: (Insert full text of newly amended article(s) indicating which article(s) is (are) being amended or added.) If the full text of the amendment will not fit in the space provided, attach additional numbered pages. (Total number of pages including this form 1.)

**ARTICLE 1**

The name of the corporation is CWC Incorporated.

This amendment has been approved pursuant to Minnesota Statutes chapter 302A or 317A. I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this amendment under oath.

John D. Johnson  
(Signature of Authorized Person)

If you have any questions please contact the Secretary of State's office at (612) 296-2803.

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**RETURN TO:**

Secretary of State/Records Processing Section  
180 State Office Bldg., 100 Constitution Ave.  
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**MINNESOTA SECRETARY OF STATE  
AMENDMENT OF ARTICLES OF INCORPORATION**

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**ARTICLE**

The name of the corporation is FirePond, Inc.

This amendment has been approved pursuant to Minnesota Statutes chapter 302A or 377A. I certify that I am authorized to execute this amendment and I further certify that I understand that by signing this amendment, I am subject to the penalties of perjury as set forth in section 609.48 as if I had signed this amendment under oath.

*RC Green*

(Signature of Authorized Person)

**INSTRUCTIONS**

1. Type or print with black ink.
2. A Filing Fee of \$35.00, made payable to the Secretary of State.
3. Return completed forms to:

Secretary of State  
180 State Office Building  
100 Constitution Ave.  
St. Paul, MN. 55155-1299  
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*John Anderson, Secretary*

Secretary of State